

MONDAY, MARCH 7, 1994

SEVENTY-FIRST LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rep. Pinion, who then led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Bragg; wife's illness.

Representative Haun.

Representative Jackson; out-of-town.

RECOGNITION

Reps. Moore and Napier approached the well to recognize Sterling Marlin, winner of the Daytona 500.

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INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 0139** -- Memorials, Government Officials -- Requests department of transportation to include Stinking Creek Road in Campbell County within state highway system. by *Cross.

Transportation Committee.

***House Resolution No. 0140** -- General Assembly, Studies -- Requests house conservation and environment committee to have appropriate subcommittee to study forced deposit legislation or "bottle laws". by *Cross.

Conservation and Environment Committee.

***House Joint Resolution No. 0492** -- Highway Signs -- "T.R. Love Memorial Bridge," I-181 and Jackson-Love Highway, Unicoi County. by *Whitson, *Haun.

Transportation Committee.

***House Joint Resolution No. 0493** -- Highway Signs -- "Howard Garland Bridge," near Shallow Ford community, Unicoi County. by *Whitson, *Haun.

Transportation Committee.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for Wednesday, March 9, 1994:

House Resolution No. 0143 -- Memorials, Personal Achievement -- Nancy Bryant, "1994 Citizen of the Year by Newport Cocke County Chamber of Commerce". by *Davis Ronnie.

House Joint Resolution No. 0498 -- Memorials, Sports -- Chester County Junior High School boys' basketball team. by *Walley.

House Joint Resolution No. 0500 -- Memorials, Death -- Thomas M. Farley, Jr. by *Byrd, *Joyce, *Haley.

House Joint Resolution No. 0501 -- Memorials, Sports -- Kristen Goehring, NCAA Woman of the Year Award. by *Kisber, *McDaniel.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted

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as being placed on the Consent Calendar for Wednesday, March 9, 1994:

Senate Joint Resolution No. 0336 -- Memorials, Academic Achievement -- Robert Brandon Helm, Salutatorian, Trousdale County High School.

Senate Joint Resolution No. 0351 -- Memorials, Personal Occasion -- Maxine Christenberry Preas, eightieth birthday.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 0319 --** Memorials, Government Officials -- Urges encouragement of programs enabling family bonding and making visitation priority for correctional institutions.

State and Local Government Committee.

***Senate Joint Resolution No. 0347 --** Naming and Designating -- "Social Worker Month," March 1994.

State and Local Government Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2872 -- Mountain City -- Revises appointment, term and qualifications of town recorder, chief of police and superintendent of public works. Amends Chapter 133, Private Acts of 1986. by *Venable.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were Held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1903 --** Sunset Laws -- Recycling market advisory council, June 30, 1996. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 211. (HB 1948).

***Senate Bill No. 2036 --** Education, Higher -- Requires proportional representation by women on state board of education, Tennessee higher education commission, board of regents and UT board of trustees. Amends TCA 49-1-301, 49-7-204, 49-8-201, 49-9-202. (HB 2642).

***Senate Bill No. 2038 --** Public Records -- Authorizes electric

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plants owned and operated by a local government in Shelby County to recover costs for distributing copies of public records having commercial value; electric plants owned and operated by Davidson County have authority under present law to recover such costs. Amends TCA 7-52-135. (HB 2750).

Senate Bill No. 2162 -- Banks and Financial Institutions -- Allows living trusts to be designated as beneficiary of payable-on-death account. Amends TCA 45-2-704. (*HB 2003).

***Senate Bill No. 2544 -- Utilities, Utility Districts --** Allows utility management review board to review water rate protests in all districts and counties; authorizes reimbursement of certain expenses incurred to certain utility district officials and employees. Amends TCA 7-82-309, 7-82-701, 702. (HB 2452).

***Senate Bill No. 2545 -- Courts, Municipal --** Authorizes home rule municipality to decrease number of divisions of city court. Amends TCA 16-17-101. (HB 2393).

Senate Bill No. 2783 -- Public Funds and Financing -- Defines "advisory committee"; outlines funding board guidelines relative to Local Government Public Obligations Law. Amends TCA 9-21-151. (*HB 2685).

Senate Bill No. 2803 -- Surplus Property -- Allows surplus property to be sold after repair without prior approval of board of standards. Amends TCA 12-2-419. (*HB 2534).

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2868 -- Algood -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 2869 -- Baxter -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 2870 -- Algood -- Held on Clerk's desk pending approval by local delegation.

MESSAGE FROM THE SENATE

March 7, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2509 and 2697; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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***Senate Bill No. 2509 -- Motor Vehicles, Titling and Registration --** Authorizes issuance of special license plates for alumni of the University of Arkansas. Amends TCA, Title 55, Ch. 4.

***Senate Bill No. 2697 -- Air Pollution --** Adds new positions to water quality control board and air pollution control board; authorizes Tennessee Automotive Association to nominate persons for appointment to new positions. Amends TCA 68-201-104, 69-3-104.

CONSENT CALENDAR

House Bill No. 2855 -- Putnam County -- Establishes Part II of General Sessions Court. Amends Chapter 125, Private Acts of 1949, as amended.

House Bill No. 2853 -- Fayette County -- Provides transition provision for school board to comply with general law requiring staggered four year terms for boards of education.

House Bill No. 2322 -- Juries and Jurors -- Permits board of jury commissioners in county having metropolitan government to employ person other than circuit court clerk to serve as clerk of board; makes selection subject to approval of state trial judges in such county. Amends TCA 22-2-204.

***House Bill No. 2534 -- Surplus Property --** Allows surplus property to be sold after repair without prior approval of board of standards. Amends TCA 12-2-419.

House Bill No. 2731 -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special license plates for alumni of the University of Arkansas. Amends TCA, Title 55, Ch. 4.

On motion, House Bill No. 2731 was made to conform with **Senate Bill No. 2509**; the Senate Bill was substituted for the House Bill.

House Bill No. 2824 -- Air Pollution -- Adds new positions to water quality control board and air pollution control board; authorizes Tennessee Automotive Association to nominate persons for appointment to new positions. Amends TCA 68-201-104, 69-3-104.

On motion, House Bill No. 2824 was made to conform with **Senate Bill No. 2697**; the Senate Bill was substituted for the House Bill.

House Bill No. 2302 -- Apportionment, Legislative -- Transfers City of Berry Hill from 19th to 21st Senatorial District; transfers portion of Sevier Park Community Center precinct from 21st to 19th Senatorial District. Amends TCA 3-1-102.

***House Bill No. 1757 -- Boards and Commissions --** Permits certain groups to nominate list of three persons for gubernatorial appointment to air pollution and water quality control boards. Amends TCA 68-201-104, 69-3-104.

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On motion, House Bill No. 1757 was made to conform with **Senate Bill No. 1849**; the Senate Bill was substituted for the House Bill.

House Bill No. 2061 -- Highway Signs -- "Burgess Falls State Park," 1-40.

On motion, House Bill No. 2061 was made to conform with **Senate Bill No. 2212**; the Senate Bill was substituted for the House Bill.

House Bill No. 1942 -- Sunset Laws -- Review committee, June 30, 1995. Amends TCA, Title 4, Ch. 29; Title 12, Ch. 4.

On motion, House Bill No. 1942 was made to conform with **Senate Bill No. 1895**; the Senate Bill was substituted for the House Bill.

House Bill No. 1947 -- Sunset Laws -- Professional counselors and marital and family therapists, June 30, 1996. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 22.

On motion, House Bill No. 1947 was made to conform with **Senate Bill No. 1901**; the Senate Bill was substituted for the House Bill.

House Bill No. 1955 -- Sunset Laws -- Board of electrolysis examiners, June 30, 1995. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 26.

On motion, House Bill No. 1955 was made to conform with **Senate Bill No. 1894**; the Senate Bill was substituted for the House Bill.

House Bill No. 1956 -- Sunset Laws -- Medicaid program cost savings suggestion program board, June 30, 1995. Amends TCA, Title 4, Ch. 29; Title 71, Ch. 5.

On motion, House Bill No. 1956 was made to conform with **Senate Bill No. 1897**; the Senate Bill was substituted for the House Bill.

House Bill No. 2190 -- Sunset Laws -- Medicaid drug utilization review board, June 30, 1995. Amends TCA, Title 4, Ch. 29; Title 71, Ch. 5.

House Bill No. 2192 -- Sunset Laws -- Deletes references to terminated governmental entities. Amends TCA 4-29-212.

House Bill No. 2197 -- Sunset Laws -- Regional transportation authority, June 30, 1995. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 8.

On motion, House Bill No. 2197 was made to conform with **Senate Bill No. 2442**; the Senate Bill was substituted for the House Bill.

House Bill No. 2362 -- McNairy County -- Transfers duties and records of juvenile court clerk from county clerk to clerk of circuit court.

***House Bill No. 2669 -- Parks, Natural Areas Preservation --**

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Designates Short Springs in Coffee County as a Class I Scenic Recreational Area. Amends TCA 11-14-108.

On motion, House Bill No. 2669 was made to conform with Senate Bill No. 2672; the Senate Bill was substituted for the House Bill.

House Bill No. 2004 -- Municipal Government -- Authorizes compensation for members of municipal planning commissions. Amends TCA 13-4-101.

On motion, House Bill No. 2004 was made to conform with Senate Bill No. 1880; the Senate Bill was substituted for the House Bill.

***House Bill No. 2488 -- Education, Higher --** Reverts ownership of Trenton community college satellite facility back to city of Trenton from board of regents if facility is used for other than educational purposes. Amends TCA, Title 49, Ch. 8.

***House Bill No. 2111 -- Highway Signs --** "Wesley Nicks Bridge," Dyersburg; "Tom Presgrove Bridge," Highway 78; "Korean War Veterans Memorial Highway," portion of Highway 104, Dyer County.

On motion, House Bill No. 2111 was made to conform with Senate Bill No. 2428; the Senate Bill was substituted for the House Bill.

House Bill No. 2857 -- Montgomery County -- Raises amount of hotel motel tax which may be levied on transients. Amends Chapter 167, Private Acts of 1979.

House Bill No. 2858 -- Oneida -- Authorizes Oneida Special School District to issue notes and bonds.

***House Bill No. 2543 -- Education --** Renames "statewide system of area vocational-technical schools and regional technical schools" as "statewide system of state technology centers". Amends TCA, Title 49.

House Bill No. 2860 -- Van Buren County -- Staggers terms of School Board. Amends Chapter 867, Private Acts of 1949.

House Bill No. 2861 -- Milan -- Revises special school district provisions. Amends Chapter 504, Private Acts of 1945, as amended.

House Bill No. 2862 -- Trenton -- Requires four members of city council from wards and two members at large beginning with September 1995 election. Amends Chapter 551, Acts of 1903, as amended.

House Bill No. 2863 -- Oliver Springs -- Revises provisions relative to offices of city judge, finance officer/city court clerk, and recorder. Amends Chapter 247, Acts of 1905, as amended.

House Bill No. 2865 -- Lafollette -- Provides for holding city elections at regular November election; extends terms of existing officials one year to harmonize with new election date. Amends Chapter 161, Acts of 1897.

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***House Resolution No. 0119** -- General Assembly, Review Or Ratification of Rules -- Ratifies Rules of Civil Procedure, Appellate Procedure and Evidence.

***House Joint Resolution No. 0373** -- Memorials, Congress -- Urges use of U.S. Postal Service to conduct U.S. census in year 2000.

House Joint Resolution No. 0494 -- Memorials, Retirement -- Willie S. Ragland, Jr.

House Joint Resolution No. 0495 -- Memorials, Public Service -- Bobbi McGarity, Assistant Superintendent, Knox County schools.

House Joint Resolution No. 0496 -- Memorials, Sports -- Frankie "The Surgeon" Randall, World Boxing Council Superweight Champion.

Senate Joint Resolution No. 0326 -- Memorials, Professional Achievement -- Middle Tennessee State University Leadership Institute.

Senate Joint Resolution No. 0329 -- Memorials, Interns -- Sarah Card, Senate page.

Senate Joint Resolution No. 0331 -- Memorials, Recognition and Thanks -- Reverend Lexie Freeman.

Senate Joint Resolution No. 0333 -- Memorials, Professional Achievement -- Ida Jones, doctoral recipient.

Senate Joint Resolution No. 0345 -- Memorials, Professional Achievement -- Virginia Elliott, Certified Municipal Clerk.

House Resolution No. 0141 -- Memorials, Professional Achievement -- Alfred E. Coleman, Assistant Principal of the Year.

House Joint Resolution No. 0497 -- Memorials, Public Service -- James Kindle.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2322; by Rep. Chiles.

House Bill No. 2534; by Rep. R. Jones.

House Bill No. 2302; by Rep. Bittle.

House Bill No. 2857; by Reps. R. Jones and Bittle.

House Bill No. 2862; by Rep. R. Jones.

Under the rules, House Bills Nos. 2322, 2534, 2302, 2857 and

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2862; were placed at the foot of the calendar for Wednesday, March 9, 1994.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1959 -- Sunset Laws -- Board of polygraph examiners, June 30, 1996. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 27.

Rep. Kernell moved that House Bill No. 1959 be passed on third and final consideration.

Rep. Kernell moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1959 by deleting Section 2 in its entirety and by substituting instead the following new section:

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 29, is amended by adding the following as a new section:

Section _____. (a) The following governmental entities shall terminate on June 30, 2002:

() Board of polygraph examiners, created by § 62-27-104;

(b) Each department, commission, board, agency, or council of state government created during calendar year 2001 shall terminate on June 30, 2002.

(c) Any governmental entity which has been terminated under this section may be continued, reestablished, or restructured in accordance with this chapter.

On motion, Amendment No. 1 was adopted.

Rep. Kernell moved that **House Bill No. 1959**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1962 -- Sunset Laws -- Terminates Tennessee economic development corporation. Amends TCA, Title 4, Ch. 29.

On motion, House Bill No. 1962 was made to conform with **Senate Bill No. 1893**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 1893** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0
Present and not voting.	1

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh--95.

Representatives present and not voting were: Westmoreland -- 1.

A motion to reconsider was tabled.

House Bill No. 2094 -- Criminal Offenses -- Expands offense of parent knowing minor is in illegal possession of firearm on school or public property, to include standard of whether parent should have known; violation Class A misdemeanor. Amends TCA 39-17-1312.

Rep. Cross requested that House Bill No. 2094 be moved to the heel of the Calendar.

House Bill No. 2259 -- Guardianship -- Revises various public guardianship provisions for elderly. Amends TCA 34-7-102, 104.

Rep. Deberry requested that House Bill No. 2259 be moved down 3 places on the Calendar.

***House Bill No. 0427 -- Drugs --** Designates 10 percent of proceeds county, metropolitan government or municipality is entitled to receive from drug fines and forfeitures to DARE program in such county, metropolitan government or municipality. Amends TCA, Title 39, Ch. 17, Pt. 4.

Rep. Windle requested that House Bill No. 427 be moved to the heel of the Calendar.

House Bill No. 2055 -- Game and Fish Laws -- Clarifies persons who can fish and hunt on property without obtaining hunting and fishing license. Amends TCA 70-2-204.

On motion, House Bill No. 2055 was made to conform with **Senate Bill No. 1948**; the Senate Bill was substituted for the House Bill.

Rep. Rigsby moved that **Senate Bill No. 1948** be passed on third

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and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2259 -- Guardianship -- Revises various public guardianship provisions for elderly. Amends TCA 34-7-102, 104.

Further consideration of House Bill No. 2259, previously considered on today's Calendar.

Rep. DeBerry moved that House Bill No. 2259 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2259 by inserting in Section 4 of the printed bill the punctuation "," after the language "limited guardian", by deleting the language "or" between the language "guardian" and "guardian", and by deleting the punctuation "," after the language "guardian ad litem" and by substituting instead the punctuation ";".

AND FURTHER AMEND by deleting the language "Section 37-4-107(f)" in the directory language of Section 8 of the printed bill and by substituting instead the language "Section 34-7-104(f)".

AND FURTHER AMEND by deleting the language "551" in the amendatory language of Section 8 of the printed bill and by substituting instead the language "SSI".

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AMD FURTHER AMEND by deleting the language "551" in the amendatory language of Section 9 of the printed bill and by substituting instead the language "SSI".

AND FURTHER AMEND in Section 14 of the printed bill by deleting the language "/conservatorship" and by substituting instead the language "guardianship/".

On motion, Amendment No. 1 was adopted.

Rep. DeBerry moved that **House Bill No. 2259**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2082 -- Notary Public -- Makes notary public a notary at large without payment of additional fee or furnishing of additional bond. Amends TCA, Title 8.

On motion, **House Bill No. 2082** was made to conform with **Senate Bill No. 1756**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that **Senate Bill No. 1756** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Buck moved that **Senate Bill No. 1756** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2414 -- Custody and Support -- Reduces minimum age of children whose custody preference may be considered by courts in determining care, custody and control from 14 to 12 years of age. Amends TCA 36-6-102.

On motion, House Bill No. 2414 was made to conform with **Senate Bill No. 2506**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that **Senate Bill No. 2506** be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 2506 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 36-6-102, is amended by deleting the words "the sworn" from the first sentence of subsection (a).

On motion, Amendment No. 1 was adopted.

Rep. Fowlkes moved that **Senate Bill No. 2506**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott,

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Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2077 -- Civil Procedure -- Establishes utilization of street address for notice to foreclose deed of trust or judicial or trust sale which appears in records of assessor of property to be conclusively presumed in compliance. Amends TCA, Title 35.

On motion, House Bill No. 2077 was made to conform with **Senate Bill No. 1966**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that **Senate Bill No. 1966** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Shirley -- 1.

A motion to reconsider was tabled.

***House Bill No. 1898 -- Garnishments and Executions --** Exempts funds due or intended as child support payments to debtor's children

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from execution, seizure or attachment. Amends TCA 26-2-111.

Rep. Ritchie moved that House Bill No. 1898 be reset to the Calendar for Wednesday, March 9, 1994, which motion prevailed.

House Bill No. 2840 -- Morristown -- Revises various sections of civil service board provisions. Amends Chapter 103, Acts of 1903, as amended.

Further consideration of House Bill No. 2840, previously considered on February 28, 1994, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for March 2, 1994. On March 2, it was reset to the Calendar for March 7, 1994.

Rep. Johnson moved that **House Bill No. 2840** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from not voting to aye on House Bill No. 2840 and have this statement entered in the Journal: Rep(s). Ritchie .

REGULAR CALENDAR, CONTINUED

***Senate Bill No. 2015 -- Taxes, Sales --** Exempts from sales taxes used clothing sold by nonprofit, charitable institutions. Amends TCA, Title 67, Ch. 6, Pt. 3.

Further consideration of Senate Bill No. 2015, previously

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considered on March 3, 1994, at which time it was substituted for House Bill No. 2241, Amendment No. 1 was withdraw, the bill was then reset to the Calendar for March 7, 1994.

Rep. Coffey moved that **Senate Bill No. 2015** be passed on third and final consideration.

Rep. Williams (Shelby) moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend Senate Bill No. 2015 by deleting subsection (a) of the amendatory language of Section 1 and substituting instead the following:

There shall be exempt from the provisions of this chapter the sale at retail of used or reconditioned items that were donated to the seller if such items are sold by an institution or organization which has received a determination of exemption from the Internal Revenue Service under 26 U.S.C. Section 501(c)(3).

On motion, Amendment No. 2 was adopted.

Rep. Coffey moved that **Senate Bill No. 2015**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2094 -- Criminal Offenses -- Expands offense of parent knowing minor is in illegal possession of firearm on school or public property, to include standard of whether parent should have known; violation Class A misdemeanor. Amends TCA 39-17-1312.

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Rep. Moore moved that House Bill No. 2094 be passed on third and final consideration.

Rep. Miller moved that House Bill No. 2094 be re-referred to the Judiciary Committee, which motion he then withdrew.

Rep. Purcell moved that House Bill No. 2094 be reset two weeks to the Calendar for Monday, March 21, 1994, which motion prevailed.

***House Bill No. 0427 -- Drugs --** Designates 10 percent of proceeds county, metropolitan government or municipality is entitled to receive from drug fines and forfeitures to DARE program in such county, metropolitan government or municipality. Amends TCA, Title 39, Ch. 17, Pt. 4.

Further consideration of House Bill No. 427, previously considered on today's Calendar.

On motion, House Bill No. 427 was made to conform with **Senate Bill No. 1166**; the Senate Bill was substituted for the House Bill.

Rep. Windle moved that **Senate Bill No. 1166** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Windle moved that **Senate Bill No. 1166** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

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MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1866 -- Banks and Financial Institutions -- Provides that financial institution or its officers or employees are not acting as fiduciary to customers or third parties, except if written agency or trust agreement exists. Amends TCA, Title 45, Ch. 1.

Senate Amendment No. 2

Amend House Bill No. 1866 is amended by deleting from the amendatory language of Section 1(a) the words "within one year of the first occurrence thereof" and by substituting instead the words "within the time provided in Tennessee Code Annotated, Section 48-18-601".

Senate Amendment No. 3

Amend House Bill No. 1866 is amended by adding the word "fiduciary" between the word "of" and "relationships" in the last sentence of Section 1(a).

Senate Amendment No. 4

Amend House Bill No. 1866 is amended by deleting from Section 1(a) the following sentence: "This section shall not be limited to credit agreements and shall apply to all types of fiduciary relationships to which a financial institution may be a party."

Rep. Rhinehart moved that the House concur in Senate Amendment(s) No(s). 2, 3 and 4 to **House Bill No. 1866**, which motion failed by the following vote:

Ayes.	24
Noes.	57
Present and not voting.	12

Representatives voting aye were: Anderson, Collier, Davis, DeBerry, Duer, Fisher, Fowlkes, Givens, Hargrove, Head, Hillis, Huskey, Love, McKee, Meyer, Mires, Moore, Napier, Phelan, Rhinehart, Rigsby, Rinks, Turner (Shelby), Wix -- 24.

Representatives voting no were: Allen, Arriola, Bell, Bittle, Brooks, Brown, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, Dixon, Ferguson, Gunnels, Haley, Halteman Harwell, Hassell, Herron, Johnson, Jones R (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, Miller, Odom, Peroulas Draper, Phillips, Purcell, Ramsey, Ritchie, Robinson, Shirley, Stamps, Stockburger, Stulce, Thompson, Turner (Hamilton), Venable, Walley, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood -- 57.

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Representatives present and not voting were: Armstrong, Boyer, Byrd, Jones U (Shelby), Kernell, Owenby, Pinion, Pruitt, Severance, Tindell, West, Mr. Speaker Naifeh -- 12.

Rep. Rhinehart moved that the House nonconcur in Senate Amendment(s) No(s). 2, 3 and 4 to **House Bill No. 1866**, which motion prevailed.

RULES SUSPENDED

Rep. Robinson moved to suspend **Rule No. 80 (1)**, relative to the time for placing bills on notice in Committee, so that House Joint Resolutions Nos. 492 and 493 could be heard by the Transportation Committee on Tuesday, March 8, 1994, which motion prevailed.

BILL RE-REFERRED

Rep. Pruitt moved that **House Bill No. 2302**, previously objected to on the consent calendar and reset, be re-referred to the Calendar and Rules Committee, which motion prevailed.

RULES SUSPENDED

On motion of Rep. Owenby, the rules were suspended for the immediate introduction and consideration of the resolution.

House Resolution No. 0142 -- Memorials, Professional Achievement -- Sevier County Bank's 85th anniversary. by *Owenby

On motion of Rep. Owenby, the resolution was adopted.

A motion to reconsider was tabled.

REQUEST TO BE ADDED AS SPONSOR

The following member(s) requested to add their name(s) as sponsor(s) as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage/adoption of said bill/resolution:

House Bill No. 427: Rep(s). Venable.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 691: Rep(s). Tindell as prime sponsor(s).

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House Bill No. 1683: Rep(s). Arriola, DeBerry, Hargrove, Owenby and Windle as prime sponsor(s).

House Bill No. 1880: Rep(s). Cole (Dyer) and Head as prime sponsor(s).

House Bill No. 2032: Rep(s). Boyer and Callicott as prime sponsor(s).

House Bill No. 2144: Rep(s). Venable as prime sponsor(s).

House Bill No. 2259: Rep(s). Thompson as prime sponsor(s).

House Bill No. 2286: Rep(s). Herron as prime sponsor(s).

House Bill No. 2315: Rep(s). Herron, Lewis and Pinion as prime sponsor(s).

House Bill No. 2681: Rep(s). Hargrove, Lewis, Phelan and Rinks as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Callicott was/were removed as sponsor(s) of **House Bill No. 2469.**

ANNOUNCEMENTS

COMMUNICATION

TO: Burney T. Durham, Chief Clerk
FROM: Jimmy Naifeh, Speaker of the House
DATE: March 7, 1994

I direct the following bills to be re-referred to the Finance, Ways and Means Committee: House Bills Nos. 390, 395 and 396.

MESSAGE FROM THE GOVERNOR

March 4, 1994

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1623, 1710, 1796, 1803, 2646, 2663, 2836, 2838 and 2839, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

MESSAGE FROM THE SENATE

March 7, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1805, 1940, 2109, 2437, 2570, 2644, 2743, 2809 and

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2814; also, Senate Joint Resolution(s) No(s). 340; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 7, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1712, 1827, 1851, 1946, 1950, 1963, 1972, 1977, 2191, 2251 and 2283; also, House Joint Resolution(s) No(s). 451, 457, 459, 460, 469, 470, 477, 478 and 482; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 7, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 465; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 7, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1747, 1939, 1987, 2001 and 2120; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

March 7, 1994

The Speaker signed the following: Senate Bill(s) No(s). 1805, 1940, 2109, 2437, 2570, 2644, 2743, 2809 and 2814; also, Senate Joint Resolution(s) No(s). 340.

ENGROSSED BILLS

March 7, 1994

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1959, 2190, 2192, 2259, 2362, 2488, 2543, 2840, 2853, 2855, 2858, 2860, 2861, 2863 and 2865; also, House Joint Resolution(s) No(s). 373, 494, 495, 496 and 497.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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CONSENT CALENDAR

March 7, 1994

The following local bill has been placed on the Consent Calendar for Monday, March 14, 1994: House Bill No. 2867.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, March 9, 1994.